

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTOPHER MANHART, *individually and on behalf
of all others similarly situated,*

Plaintiff,

v.

AJP EDUCATION FOUNDATION, INC. d/b/a
AMERICAN MUSLIMS FOR PALESTINE, WESPAC
FOUNDATION, INC., NATIONAL STUDENTS FOR
JUSTICE IN PALESTINE, DISSENTERS, EDUCATION
FOR A JUST PEACE IN THE MIDDLE EAST, d/b/a US
CAMPAIGN FOR PALESTINIAN RIGHTS, JEWISH
VOICE FOR PEACE, TIDES CENTER, d/b/a
COMMUNITY JUSTICE EXCHANGE, JINAN
CHEHADE, SUPERIOR MURPHY, RIFQA FALANEH,
and SIMONE TUCKER,

Defendants.

No. 1:24-cv-8209

Hon. Mary L. Rowland

Magistrate Judge Keri L.
Holleb Hotaling

**DEFENDANT WESPAC FOUNDATION, INC.’S MOTION FOR SANCTIONS UNDER
RULE 11 OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Defendant WESPAC Foundation, Inc. (“WESPAC”), by and through its attorneys, and pursuant to Rule 11 of the Federal Rules of Civil Procedure, hereby respectfully moves this Court for Rule 11 sanctions against Plaintiff and Plaintiff’s counsel. In support of this motion, WESPAC submits the accompanying memorandum of law, and states as follows:

1. On November 11, 2024, Plaintiff and his counsel filed the First Amended Complaint (ECF # 33) (the “FAC”) in violation of Rule 11(b) of the Federal Rules of Civil Procedure, which provides in pertinent part: “(b) REPRESENTATIONS TO THE COURT. By presenting to the court a pleading, written motion, or other paper—whether by signing, filing, submitting, or later advocating it—an attorney or

unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances: (1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law . . ." Fed. R. Civ. P. 11(b).

2. Specifically, the FAC (1) is not grounded in or supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law; and (2) was filed for an improper purpose, mainly to harass WESPAC. This motion is supported by the accompanying memorandum of law in support.

3. Pursuant to Rule 11(c), WESPAC served this motion and the accompanying memorandum of law in support on Plaintiff's counsel on January 6, 2025, 21 days before WESPAC filed it with this Court.

4. After receiving this motion and accompanying memorandum of law in support, Plaintiff and his counsel failed to withdraw the FAC against WESPAC.

5. Because of Plaintiff and his counsel's improper conduct, WESPAC has incurred substantial attorneys' fees and costs in preparing and presenting the present motion for sanctions and a motion to dismiss.

WHEREFORE for all the reasons stated in this motion and accompanying memorandum of law in support, Defendant WESPAC respectfully requests that this Court enter an order (1) sanctioning Plaintiff and his counsel; (2) awarding Defendant WESPAC reasonable attorneys' fees and costs incurred in preparing and presenting the present motion for sanctions and its motion to dismiss; (3) dismissing the Complaint with prejudice against WESPAC; and (4) ordering any other sanctions or relief to WESPAC that the Court deems just and proper.

Dated: January 27, 2025

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Attorneys for Defendant

WESPAC Foundation, Inc.

CERTIFICATE OF SERVICE

I, Robert L. Herbst, an attorney, certify that I caused copies of the foregoing **DEFENDANT WESPAC FOUNDATION, INC.'S MOTION FOR SANCTIONS UNDER RULE 11 OF THE FEDERAL RULES OF CIVIL PROCEDURE** to be served on all counsel of record via the Court's electronic filing system.

/s/ Robert L. Herbst
Attorney for WESPAC Foundation, Inc.